



**AGENDA OF THE REGULAR SESSION  
CITY OF AUBURN  
HISTORIC DESIGN REVIEW COMMISSION  
1225 LINCOLN WAY, AUBURN, CA 95603**

**June 18, 2013  
6:00 PM**

**Historic Design Review Commissioners**

Matt Spokely, Chairman  
Roger Luebke  
Fred Vitas  
Nick Willick  
Lisa Worthington  
Liz Briggs  
Cindy Combs  
Terry Green  
Kathryn Kratzer-Yue

**City Staff**

Will Wong, Community Development Director  
Lance E. Lowe, AICP, Associate Planner

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. APPROVAL OF MINUTES**

September 4, 2012  
May 7, 2013

**IV. PUBLIC COMMENT**

This is the time provided so that persons may speak to the Commission on any item not on this agenda. Please make your comments as brief as possible. The Commission cannot act on items not included on this agenda; however, the items will be automatically referred to City staff.

**V. PUBLIC HEARING ITEMS**

- A HISTORIC DESIGN REVIEW – 153 CLEVELAND AVENUE (BUCHETTO WALL MURAL) – FILE HDR 13-05.** The applicant requests Historic Design Review Commission approval for a wall mural to be located on the southeast wall of 153 Cleveland Avenue.

## **VI. COMMISSION BUSINESS**

- A. Commission Powers and Duties Ad Hoc Committee discussion pursuant to Section 159.496 (A)(5) as stated:

§159.496 (A)(5) Render advice and guidance, upon request of the owner or occupant of the property, on the restoration, alternation, decoration, landscaping or maintenance of any cultural resource including landmarks, sites, districts or neighboring properties within public view.

## **VII. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS**

- A. City Council Meetings
- B. Future Historic Design Review Commission Meetings
- C. Reports

## **VIII. HISTORIC DESIGN REVIEW COMMISSION REPORTS**

The purpose of these reports is to provide a forum for Historic Design Review Commissioners to bring forth their own ideas to the Commission. No decisions are to be made on these issues. If a Commissioner would like formal action on any of these discussed items, it will be placed on a future Commission agenda.

## **IX. FUTURE HISTORIC DESIGN REVIEW COMMISSION AGENDA ITEMS**

Historic Design Review Commissioners will discuss and agree on items and/or projects to be placed on future Commission agendas for the purpose of updating the Commission on the progress of items and/or projects.

## **X. ADJOURNMENT**

Thank you for attending the meeting. The Historic Design Review Commission welcomes your interest and participation. If you want to speak on any item on the agenda, as directed by the Chair, simply go to the lectern, give your name, address, sign in and speak on the subject. Please try to keep your remarks to a maximum of five minutes, focus on the issues before the Historic Design Review Commission and try not to repeat information already given to the Commission by a prior speaker. Always speak into the microphone, as the meeting is recorded on tape. It is the policy of the Commission not to begin consideration of a project after 10:00 PM. Such projects will be continued to the next meeting.

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department during normal business hours.

**MINUTES OF THE  
AUBURN CITY HISTORIC DESIGN REVIEW COMMISSION MEETING  
September 4, 2012**

The regular session of the Auburn City Historic Design Review Commission meeting was called to order on September 4, 2012 at 6:00 p.m. by Chair Spokely in the Council Chambers, 1225 Lincoln Way, Auburn, California.

**COMMISSIONERS PRESENT:** Snyder, Vitas, Young, Robinson, Green & Spokely

**COMMISSIONERS ABSENT:** Worthington, Briggs, Combs

**STAFF PRESENT:** Will Wong, Community Development Director  
Lance E. Lowe, AICP, Associate Planner

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES**

None

**IV. PUBLIC COMMENT**

Councilman Holmes spoke to the Historic Design Review Commission about the role of the Historic Design Review Commission.

Michael Otten addressed the Commission. Mr. Otten thanked city staff for posting the meeting on the City's web site.

**V. PUBLIC HEARING ITEMS**

- A. HISTORIC DESIGN REVIEW – 1125 HIGH STREET (ROBIE HOUSE) – FILE HDR 12-09.** The applicant requests Historic Design Review Commission approval of an exterior remodel at 1125 High Street (Robie House).

Planner Lowe presented this item and discussed the proposed changes for the Commission.

Commissioner Green discussed with the Commission how the new roof would connect with the existing roof and wanted to make sure that the roof connection was integrated into the existing roof.

Chairman Spokely asked about the Historical Resources Inventory and the remodel that occurred sometime ago.

Planner Lowe replied that staff consulted with the City Historian and tried to get a historic photograph; however, the Historian could not locate a historic photograph of the building.

Chairman Spokely noted that the material difference of the chimney was quite stark from the original chimney.

Chairman Spokely opened the public hearing.

Scott Wheeler of 853 Lincoln Way addressed the Historic Design Review Commission. Mr. Wheeler noted that he is the owner of the business which will be occupying the 1125 High Street property.

Scott Wheeler noted that he owns an electrical contracting business and discussed his plans with the Historic Design Review Commission.

Chairman Spokely asked about the construction of the chimney.

The architect of record, Richard Baker of Siteline Architecture, addressed the chimney construction and options for reconstruction.

The architect also addressed Commissioner Green's comments regarding the roof connection.

The architect, Richard Baker, discussed the proposed changes to the building.

Commissioner Robinson asked about the replacement of the deck. Will the deck be replaced to its original condition?

Richard Baker replied that the deck will be replaced with a fiber board synthetic vs. sawn lumber material.

Mr. Wheeler also spoke to the ADA upgrades that would be completed to the building.

Michael Otten, President of the Placer County Historical Society said he likes what he is hearing and what the applicant is trying to achieve.

Chairman Spokely closed the public hearing.

Commissioner Vitas **MOVED** to adopt Historic Design Review Resolution 12-06 to approve the exterior remodel at 1125 High Street (Robie House).

Commissioner Snyder **SECONDED** the motion.

AYES:	Robinson, Snyder, Vitas, Young, Green, & Spokely
NOES:	None
ABSTAIN:	None
ABSENT:	Worthington, Combs, Briggs

The motion was **APPROVED**.

**VI. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS**

A. City Council Meetings  
None

B. Future Historic Design Review Commission Meetings  
Director Wong noted that the next meeting on September 18, 2012

C. Reports  
None

**VII. HISTORIC DESIGN REVIEW COMMISSION REPORTS**

None

**VIII. FUTURE HISTORIC DESIGN REVIEW COMMISSION AGENDA ITEMS**

None

**IX. ADJOURNMENT**

The meeting adjourned at 6:20 p.m.

Respectfully submitted,

Lance E. Lowe

**MINUTES OF THE  
AUBURN CITY HISTORIC DESIGN REVIEW COMMISSION MEETING  
May 7, 2013**

The regular session of the Auburn City Historic Design Review Commission meeting was called to order on March 5, 2013 at 6:00 p.m. by Chair Spokely in the Council Chambers, 1225 Lincoln Way, Auburn, California.

**COMMISSIONERS PRESENT:** Luebkehan, Willick, Worthington, Briggs, Combs, Green, Kratzer-Yue, Spokely

**COMMISSIONERS ABSENT:** Vitas

**STAFF PRESENT:** Lance E. Lowe, AICP, Associate Planner

**I. CALL TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. APPROVAL OF MINUTES**

Approved April 16, 2013 as presented.

**IV. PUBLIC COMMENT**

None

**V. PUBLIC HEARING ITEMS**

**A. CONTINUED PUBLIC HEARING FOR HISTORIC DESIGN REVIEW –  
1215 HIGH STREET (SHARIFIE DECK ADDITIONS) – FILE HDR 13-01.**

The applicant requests Historic Design Review Commission approval for deck additions and exterior façade changes to a building located at 1215 High Street.

Planner Lowe provided an overview of the continued public hearing discussion by the Planning Commission at the April 16, 2013 Historic Design Review Commission meeting regarding, façade treatments, tree preservation and setbacks.

Chairman Spokely noted that the dimensions on the plan and scale do not appear to match. Based upon the scale, it appears that the upper deck is approximately 4 feet from the retaining wall along High Street.

Commissioner Green noted that the dimensions noted that the building is 13 feet from the retaining wall and the upper deck projects 7 feet into the setback and will be six feet from the retaining wall.

Commissioner Worthington asked whether or not the tree was protected under the City's Tree Ordinance and if it needs to be removed would the applicant need a tree permit?

Planner Lowe noted that the tree is labeled as an Oak Tree on the plans and would be required to obtain a Tree Permit if the tree is removed. Planner Lowe noted that an additional Condition of Approval was added to require that the tree be trimmed per recommendations from a Certified Arborist.

Commissioner Green noted that the quoin corner recommended at the last Historic Design Review Commission hearing is the one in front of the staircase.

Chairman Spokely opened the public hearing.

The designer, Keith Evertt, addressed the Historic Design Review Commission and agrees with the Historic Design Review Commission's recommendations and has redesigned the drawings to reflect adding the façade materials on the High Street frontage to the south side elevation.

Commissioner Worthington noted that the plans indicate that Mr. Evertt is a designer. Commissioner Worthington asked if there will be an engineer to review the decks to make sure they are structurally sound.

Mr. Evertt noted that the decks will be reviewed by an engineer.

Chairman Spokely closed the public hearing.

Commissioner Luebke **MOVED** to Approve Resolution 13-04 as presented by the Historic Design Review Commission.

Commissioner Willick **SECONDED** the motion.

AYES:	Luebke, Willick, Worthington, Briggs, Green, &
NOES:	Combs & Kratzer-Yue & Spokely
ABSTAIN:	None
ABSENT:	Vitas

The motion was **APPROVED**.

- B. CONTINUED PUBLIC HEARING FOR HISTORIC DESIGN REVIEW – 1273 HIGH STREET (LEADERSHIP AUBURN PROJECT FAIRGROUNDS ENTRYWAY IMPROVEMENTS) - FILE# HDR 13-03.** The applicant requests approval of a Historic Design Review permit for the installation of an archway sign, which exceeds the height standards in the Downtown Historic Design Review District at 1273 High Street.

Planner Lowe provided an overview of the continued public hearing discussion by the Planning Commission at the April 16, 2013 Historic Design Review Commission meeting regarding the design and scale of the archway signage.

Commissioner Green thanked the applicant for presenting a scaled drawing and increasing the size of the letters so they are more in proportion with the size and scale of the pilasters.

Chairman Spokely opened the public hearing.

Cody Carpino, on behalf of Leadership Auburn, addressed the Historic Design Review Commission and discussed the changes proposed since the last review by the Commission. Mr. Carpino noted the changes proposed and discussed the rationale for the changes.

Commissioner Worthington inquired about the new plaque that was proposed for the northern pilaster.

Chairman Spokely noted that he would like to see the plaque to be modified so that the signs were symmetrical

Commissioner Combs asked how the plaque will be attached to the pilaster and noted that the existing plaque is etched into the pilaster. Will it be etched into the stone or attached to the stone?

Mr. Carpino replied that the plaque will be attached to the face of the stone and will not be etched into the stone.

Cody Carpino noted that he had no objections to modifying the placement of the plaque so that it is symmetrical to the existing plaque.

Commissioner Worthington **MOVED** to Approve Resolution 13-07 as amended by the Historic Design Review Commission to require a condition that states:

*The proposed new plaque located on the northern pilaster shall be the same height and size as the existing time capsule plaque located on the southern pilaster. The*



*new plaque may be surface mounted on the pilaster. The location, size and mounting shall be shown on the plans, prior to approval.*

Commissioner Briggs **SECONDED** the motion.

AYES:	Luebke, Willick, Worthington, Briggs, Green Combs, Kratzer-Yue & Spokely
NOES:	None
ABSTAIN:	None
ABSENT:	Vitas

The motion was **APPROVED**.

## **VI. COMMISSION BUSINESS**

- A. Commission Powers and Duties Ad Hoc Committee Discussion pursuant to Section 159.496 (A)(5) as stated:

§159.496 (A)(5) Render advice and guidance, upon request of the owner or occupant of the property, on the restoration, alternation, decoration, landscaping or maintenance of any cultural resource including landmarks, sites, districts or neighboring properties within public view;

Commissioner Willick presented the Commission Powers and Duties Ad Hoc Discussion and discussed the meeting and direction that the Ad Hoc would like to go.

Commissioner Willick noted that the committee would like to meet again to get more input and finalize the list of items that they would like to implement. Commissioner Willick noted that the group should be ready by the next meeting on June 4<sup>th</sup>

## **VII. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS**

- A. City Council Meetings

Planner Lowe noted that the City Council will be discussing Emergency Shelters and the updated Resolution for Nomination of Historic Buildings and Places.

- B. Future Historic Design Review Commission Meetings

Planner Lowe noted that Ad Hoc committee for Commission Powers and Duties Number 6 and 10 is planned to be heard on June 4<sup>th</sup>. Ad Hoc committee number 5 will also be heard on June 4<sup>th</sup>. There are no other Historic Design Review Commission items scheduled.

- C. Reports

None

**VIII. HISTORIC DESIGN REVIEW COMMISSION REPORTS**

None

**IX. FUTURE HISTORIC DESIGN REVIEW COMMISSION AGENDA ITEMS**

None

**X. ADJOURNMENT**

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Lance E. Lowe, AICP, Associate Planner



## **CITY OF AUBURN**

### **Staff Report**

### **Historic Design Review Commission**

**Meeting Date: June 18, 2013**

**Prepared by: Lance E. Lowe, AICP, Associate Planner**

**ITEM NO.  
V-A**

### **ITEM V-A: HISTORIC DESIGN REVIEW – 153 CLEVELAND AVENUE (BUCHETTO WALL MURAL) – FILE HDR 13-05.**

**REQUEST:** The applicant requests Historic Design Review Commission approval for a wall mural to be located on the southeast wall of 153 Cleveland Avenue.

#### **RECOMMENDED MOTION (APPROVAL):**

- A. Adopt HDRC Resolution No. 13-08 (**Exhibit A**) as presented, or as modified by the Historic Design Review Commission, for a wall mural located at 153 Cleveland Avenue, which includes the following actions:
1. Adoption of a Categorical Exemption, prepared for the wall mural as the appropriate level of environmental review in accordance with the California Environmental Quality Act (CEQA) and Guidelines;
  2. Adoption of Findings of Fact for approval of the wall mural as presented in the Staff Report; and,
  3. Approval of the wall mural in accordance with the Conditions of Approval as presented in the Staff Report.

#### **ALTERNATIVE MOTION (DENIAL):**

- B. Direct staff to amend Resolution No. 13-08 as presented for denial of the wall mural, based upon substantial evidence in the public record, located at 153 Cleveland Avenue.

#### **MURAL APPROVAL MOTION:**

- C. Delegate staff the authority to administratively approve future murals provided they comply with the standards contained in the *Historic Preservation Architectural Design Guidelines*.

#### **BACKGROUND:**

Applicant: Luis Buchetto; (530) 368-3644

Owner: Yvette Elder; (530) 885-9746

Location: 153 Cleveland Avenue (**Attachments 1 & 2**)

Assessor's Parcel Number: 002-100-002

Lot Size: ±5,835 square feet

Project Site:

Zoning: Central Business District (C-2)

Existing Land Use: Commercial

Surrounding Zone Districts:

North: C-2

South: C-2

East: C-2

West: C-2

Surrounding Land Uses:

North: Bar

South: Coffee House

East: Antique Store

West: Automotive Repair

**BACKGROUND:**

The project is located in the City's Downtown Historic Design Review District and is within the Uptown Historic District as defined in the 1986 Historic Resource Survey (**Attachment 3**). The building located at 153 Cleveland Avenue is a single story building with an approximate 7/12 gabled roof. The building is constructed along the back of sidewalk and includes a parapet along Cleveland Avenue. The exterior facade materials are CMU on all elevations. The southeast wall fronts on an alleyway.

The building is not identified in the City's Historic Resources Inventory conducted in 1986. Accordingly, the property and building were not recognized as having historical significance individually or to the Uptown Historic District.

**PROJECT DESCRIPTION:**

The applicant requests Historic Design Review Commission approval of a wall mural on the southeast wall of 153 Cleveland Avenue. The proposed wall mural will cover the entirety of the wall, which is approximately eighteen (±18) feet in height and forty (±40) feet in length (**Attachment 4 – Site Photographs**). With the exception of an existing "Sousa's Tire Service" sign, the grey CMU wall façade is bare. The existing "Sousa's Tire Service" signage will be removed and a new sign application will be required if the tenant desires to install additional signage. The mural depicts a rural landscape with vegetation, flowers, steam, sun, clouds, moon and house (**Exhibit B**). An alternate design of the house, illustrating a Victorian house design has also been submitted for Historic Design Review Commission consideration (**Exhibit C**). An inscription: "Begin an Island of Love in your Heart and share it with the World" is proposed across the top of the mural in Litterbox ICG font.

The applicant proposes to use colors from a historic palette and the colors will be flat or eggshell muted colors to reduce the bright appearance of the mural.

The applicant has also solicited the opinions of businesses in the area (**Attachment 5**).

## ANALYSIS:

The recently adopted City of Auburn Sign Ordinance defines a “Mural” as:

“A scene painted or otherwise affixed on and made an integral part of a wall surface.”

The City’s Sign Ordinance also identifies murals as a permitted sign type in accordance with §159.189(A)(18) which states:

§159.189(A)(18) “Murals, graphics, time and temperature, and barber poles, as reviewed on an individual basis”.

Unlike other types of signage, the City of Auburn Sign Ordinance is silent on mural standards such as placement restrictions, size limitations, etc.

As the Historic Commission is aware, certain “free speech” protections are afforded to signage and message content thereof. Consequently, staff consulted with the City Attorney to ascertain the level of discretion that may be applied to the proposed mural. In consultation with the City Attorney, the mural constitutes a non-commercial protected message. Considering that the wall mural is a non-commercial message, it is a protected message not therefore regulated by the City’s sign ordinance size and other standards for wall signage (i.e. 6 square foot per 10 linear feet). Moreover, the content (i.e. elements making up the message) of the mural is also a protected message; however, considering that the mural is located in the Downtown Historic District, the City Attorney notes that the design (e.g. colors, font, design components, etc.) is required to be consistent with the City’s adopted *Historic Preservation Architectural Design Guidelines* as required of all signage.

The *Historic Preservation Architectural Design Guidelines* and *Department of the Interior Standards* do not specifically address murals. The *Department of the Interior Standards* recommends paint colors that are consistent with the *Historic Preservation Architectural Design Guidelines*. With respect to signs, applicable *Historic Preservation Architectural Design Guidelines* recommends:

“Colors are encouraged but should be harmonious with the colors used on the building façade and should be true colors, not synthetic or luminescent”.

“All signs should be of a professional quality.”

“No fluorescent or luminescent paint.”

“Newly created wall-painted signs for present businesses are allowed on the side and rear facades if appropriate to the building location and if the sign is rendered in a historic manner.”

Staff reviewed the proposed mural with respect to the above applicable *Historic Preservation Architectural Design Guidelines* and conditioned the mural accordingly.

Conditions of Approval No. 3 require that the colors be true colors and that the colors be chosen from a historic color palette. Condition of Approval No. 4 also requires that Anti-Graffiti coating be applied to the wall mural to the satisfaction of the Public Works Department.

In review of the applicant's request to paint a wall mural, as conditioned, it is staff's opinion that the request is consistent with the *Department of the Interior Standards* and *Historic Preservation Architectural Design Guidelines*, to the extent applicable.

### **Mural Approvals**

As the Historic Design Review Commission may recall, in 2009 authority was granted to staff to approve signs administratively. Despite staff being granted the authority to approve signs administratively, the authority to approve murals was not explicitly granted to staff. Accordingly, staff believed it prudent to present the wall mural before the Historic Design Review Commission for consideration.

Should the Historic Design Review Commission desire to authorize staff the authority to approve murals administratively that are consistent with the *Historical Preservation Architectural Design Guidelines*, staff recommends that the same protocol as signs be used to approve murals (i.e. staff approves signage and e-mails approval to HDRC).

Should the Historic Design Review Commission elect to delegate the review and approval of future murals to staff, staff recommends that the Historic Design Review Commission adopt motion C thereby authorizing staff to approve future murals.

### **ENVIRONMENTAL DETERMINATION:**

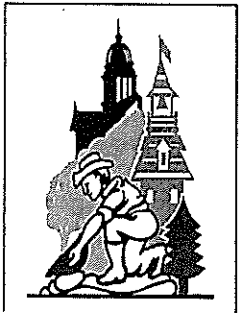
This application was reviewed pursuant to the Auburn Municipal Code and the California Environmental Quality Act (CEQA) and was determined to be Categorically Exempt under Section 15311 (Existing Facilities) of the CEQA Guidelines.

### **ATTACHMENTS:**

1. Vicinity Map
2. Aerial Photograph
3. 1986 Historic Resources Survey – Uptown Business District Map
4. Site Photographs
5. Business Survey

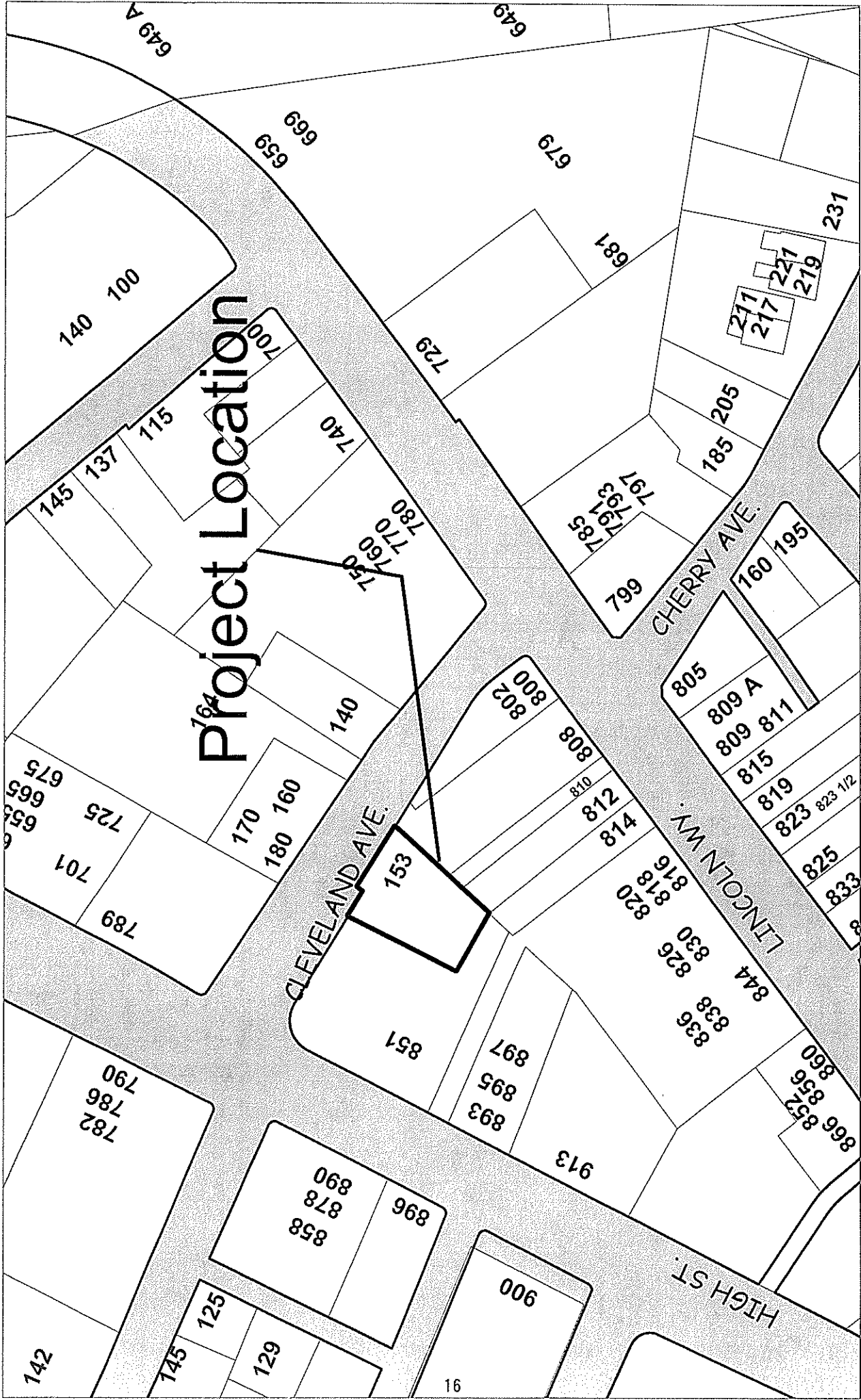
### **EXHIBITS:**

- A. HDRC Resolution 13-08
- B. Wall Mural Photo-Simulation
- C. Mural – Alternate House Design



# ATTACHMENTS

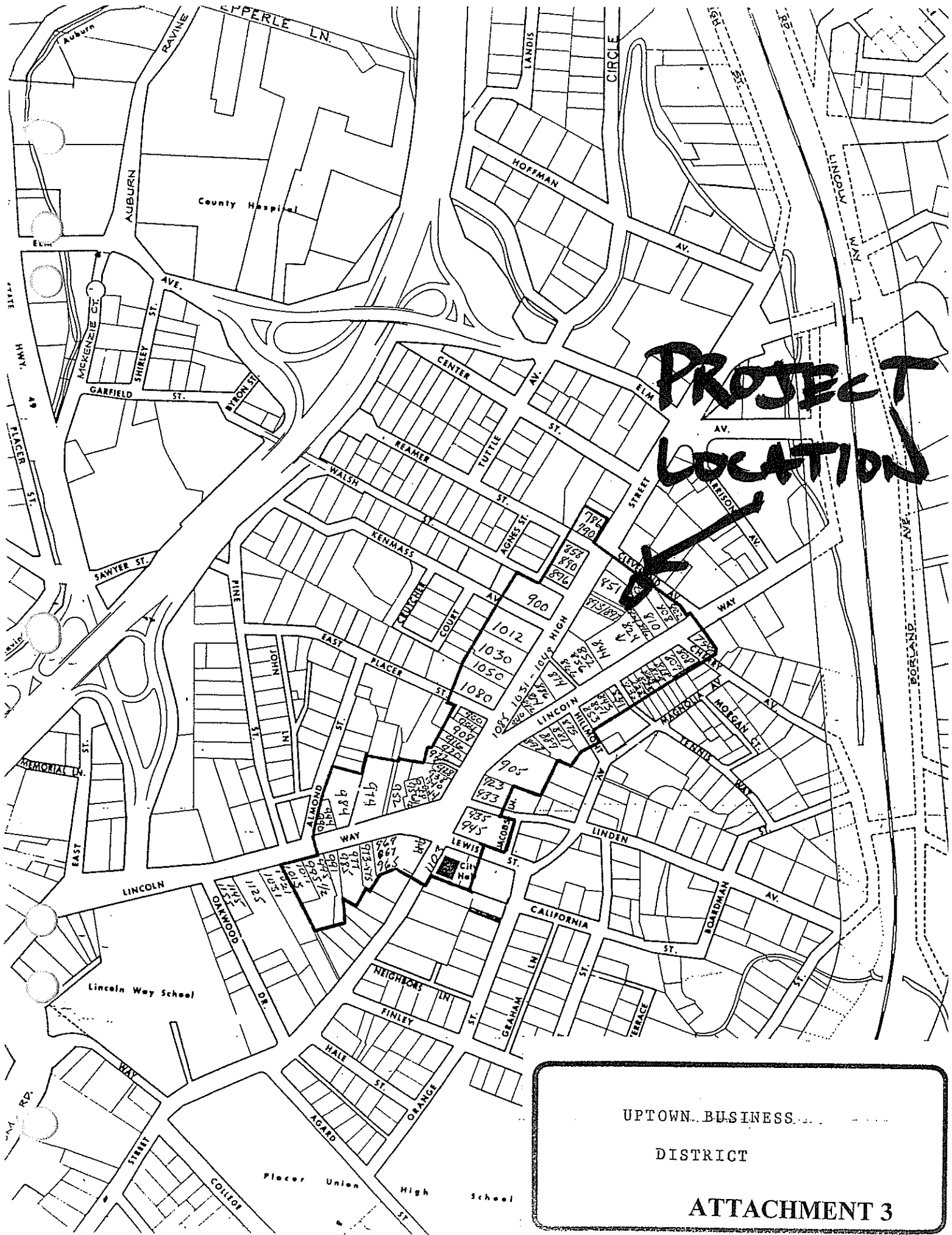
# 153 Cleveland Avenue/Wall Mural





This aerial map displays the project location at the intersection of Cleveland Ave and Cherry Ave. The project site is highlighted with a black outline and labeled '153'. Surrounding lots are numbered, and the map includes street names 'CLEVELAND AVE.', 'CHERRY AVE.', and 'HIGH ST.'.



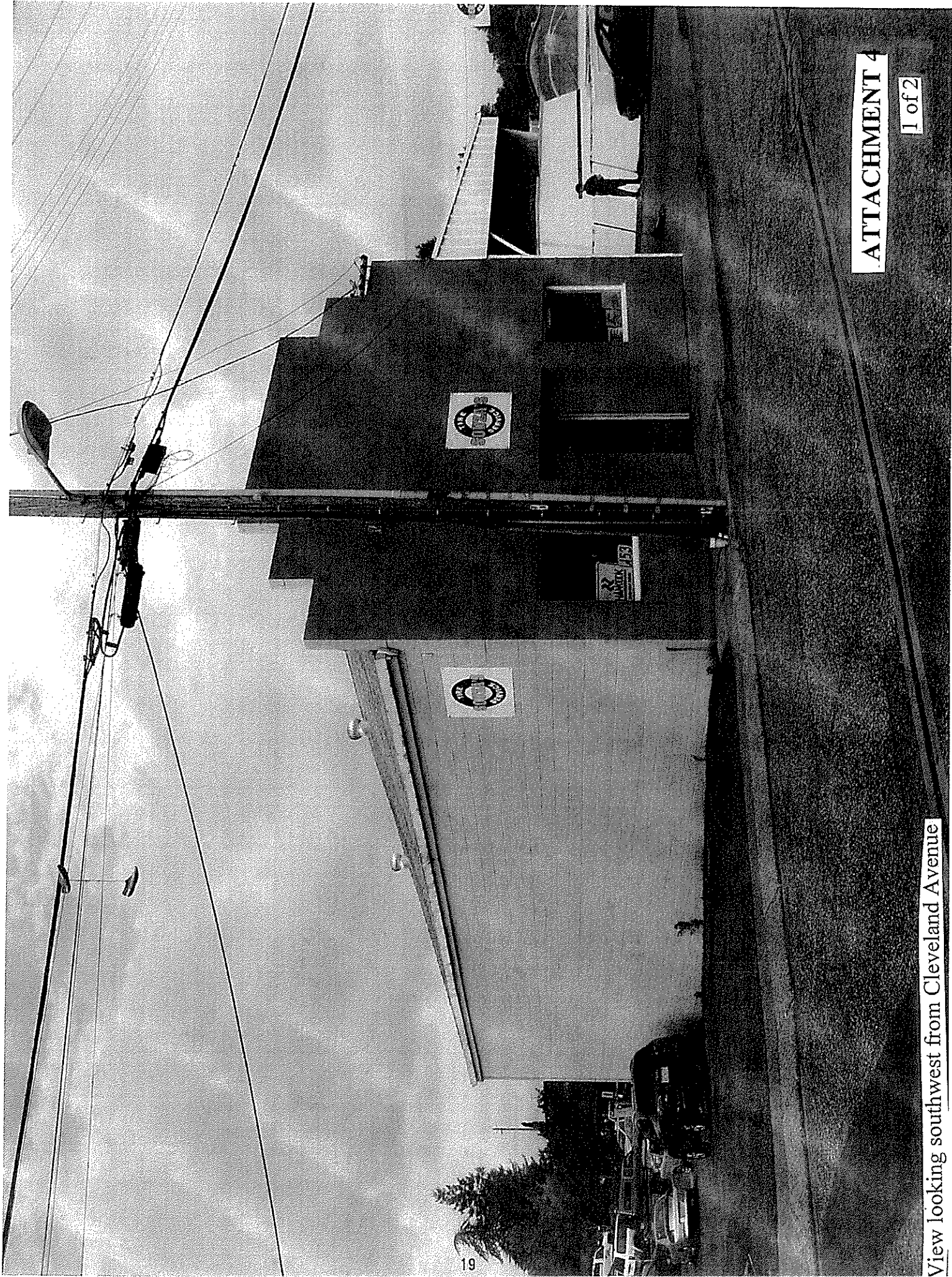


UPTOWN BUSINESS

DISTRICT

ATTACHMENT 3



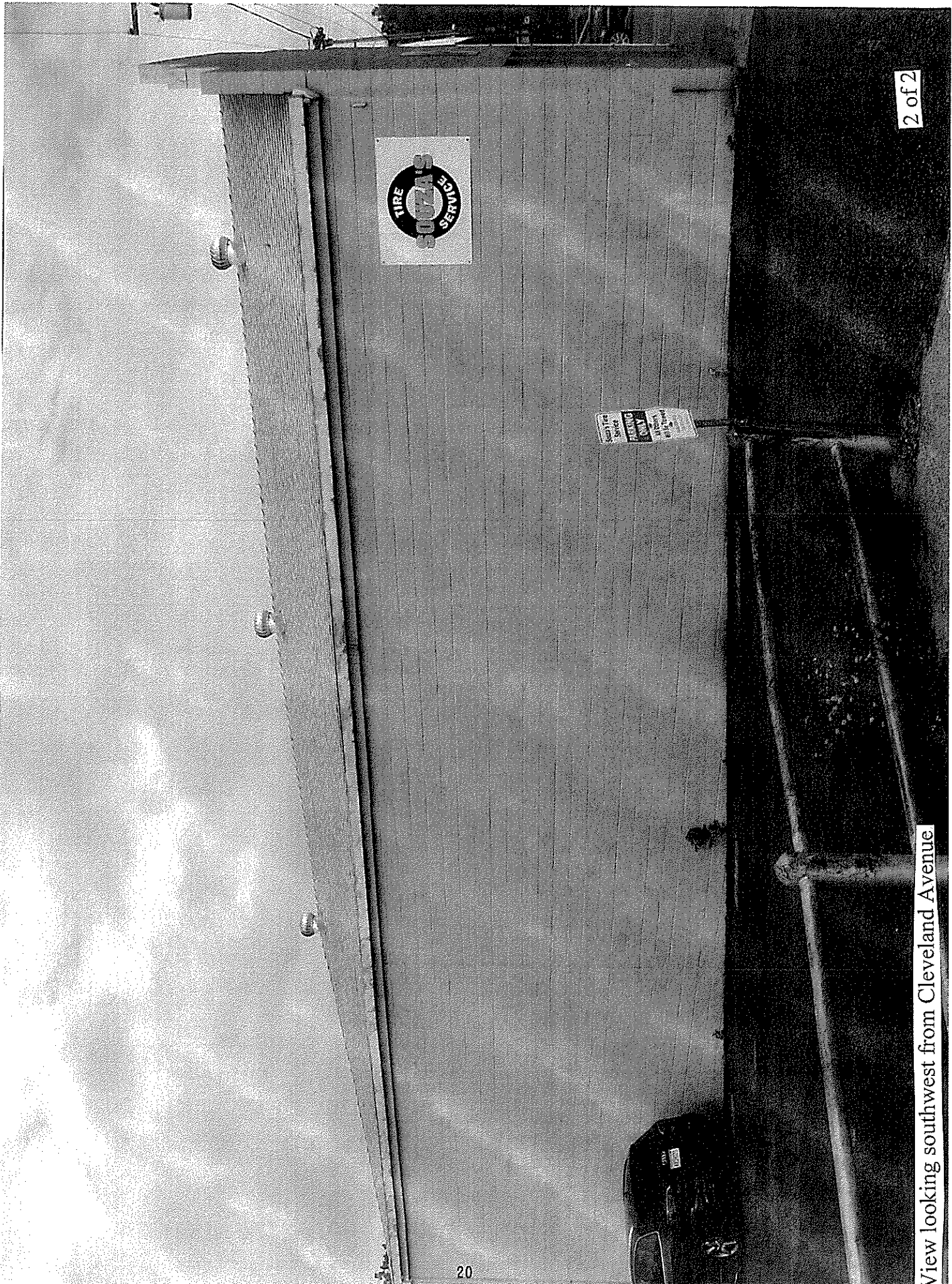


ATTACHMENT 4

1 of 2

View looking southwest from Cleveland Avenue






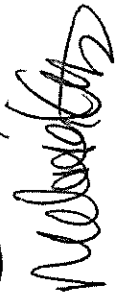

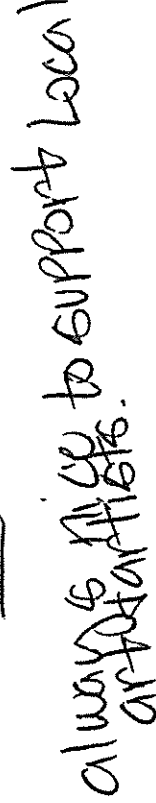




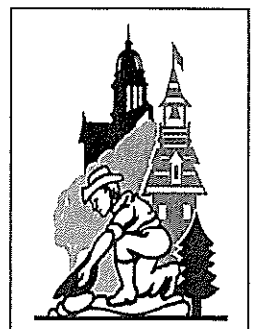
2 of 2

View looking southwest from Cleveland Avenue

Public Opinion

Name	Location	Like it? <input checked="" type="radio"/> Yes <input type="radio"/> No	Comment	Signature
Erie Allen	wants in Auburn		Great Message	
Phil Souza's	Owner Souza's	Yes	I like it, not what I expected, but it's alright!	
ADRIAN	BEST AMERICAN Time	Yes	Looks good. we need more	ADRIAN 
Ray Arnold	170 Cleveland Ave Auburn	yes		
Miss Hamilton	Bos & Jeff's	Yes	Fin all for the beaut. features of downtown	
Miss Keating	Little Belgium	yes!	It's beautiful our	
Justin Morris	Little Belgium	yes	Justin Morris	
amanda Lowry	Big Easlebrook	Yes	always nice to support local artists.	

# EXHIBITS



# EXHIBIT A

## HISTORIC DESIGN REVIEW COMMISSION RESOLUTION NO. 13-08

### BUCHETTO WALL MURAL (153 CLEVELAND AVENUE) – FILE HDR 13-05

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**Section 1.** The City of Auburn Historic Design Review Commission held a public hearing at its regular meeting of June 18, 2013 to consider a request for Historic Design Review Permit for property located at 153 Cleveland Avenue for a wall mural - **File HDR 13-05**.

**Section 2.** The City of Auburn Historic Design Review Commission has considered all of the evidence submitted into the administrative record which includes, but is not limited to:

1. Agenda report prepared by the Community Development Department for the June 18, 2013 meeting.
2. Staff presentation at the public hearing held on June 18, 2013.
3. Public comments, both written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request.
4. All related documents received and/or submitted at or prior to the public hearing.
5. The City of Auburn General Plan, Zoning Ordinance, Historic Preservation Architectural Design Guidelines, and all other applicable regulations and codes.

**Section 3.** In view of all of the evidence, the City of Auburn Historic Design Review Commission finds the following:

1. The project is Categorically Exempt from the California Environmental Quality Act (CEQA) per Section 15301 (Existing Facilities).
2. The project is consistent with the Historic Preservation Architectural Design Guidelines.

**Section 4.** In view of all of the evidence and based on the foregoing findings and conclusions, the City of Auburn Historic Design Review Commission hereby approves the Historic Design Review Permit for the Buchetto Wall Mural (File HDR 13-05) subject to the following conditions:

1. The project is approved subject to **Exhibit B** on file in the Community Development Department. Minor modifications may be approved subject to review and approval by the Community Development Director.
2. The approval date for this project is **June 18, 2013**. This project is approved for a period of two years and shall expire on **June 18, 2013** unless the project has been effectuated or the applicant requests a time extension that is approved by the Historic Design Review Commission pursuant to the Municipal Code.
3. The final color selection shall be consistent with **Exhibit B**, which colors shall be true colors selected from the Historic Color Palette supplied by paint companies such as Benjamin Moore, Kelly-Moore, Sherwin-Williams and others.

4. Prior to completion of the mural, the applicant shall apply Anti-Graffiti coating on the mural. The type of Anti-Graffiti shall be to the satisfaction of the Public Works Department.
5. The City has determined that City, its employees, agents and officials should, to the fullest extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, expense, attorneys fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this [permit], or the activities conducted pursuant to this [permit]. Accordingly, to the fullest extent permitted by law, [Applicant] shall defend, indemnify and hold harmless City, its employees, agents and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorneys fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance of this [permit], or the activities conducted pursuant to this [permit]. Applicant shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.

**Section 5.** In view of all the evidence and based on the foregoing findings and conclusions, the City of Auburn Historic Design Review Commission, upon motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ hereby approves Historic Design Review Permit for the Buchetto Wall Mural, subject to the conditions listed above and carried by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**PASSED, APPROVED AND ADOPTED** this 18<sup>th</sup> day of May 2013.

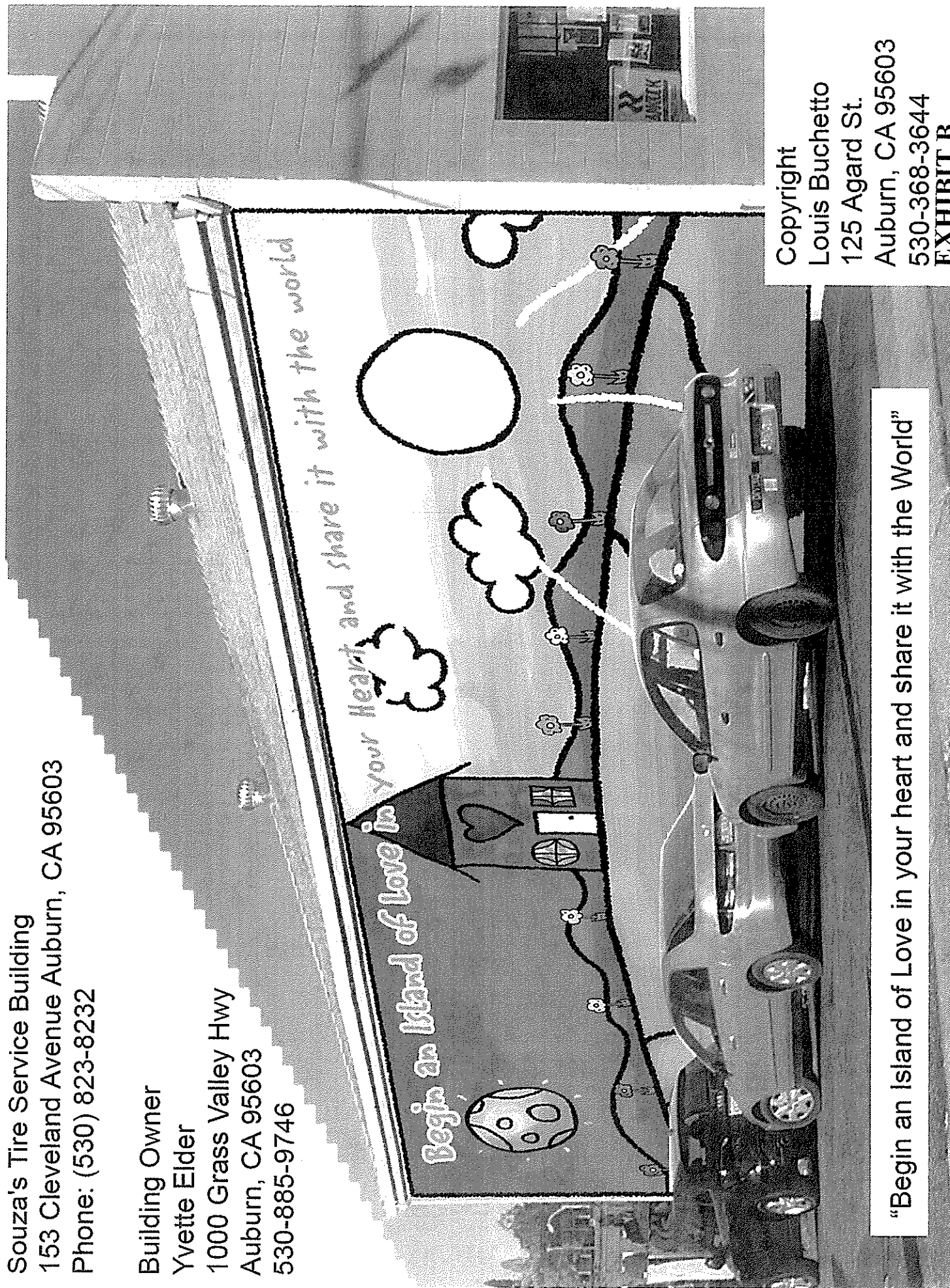
\_\_\_\_\_  
Chairman, Historic Design Review Commission  
of the City of Auburn, California

ATTEST: \_\_\_\_\_  
Community Development Department



Souza's Tire Service Building  
153 Cleveland Avenue Auburn, CA 95603  
Phone: (530) 823-8232

Building Owner  
Yvette Elder  
1000 Grass Valley Hwy  
Auburn, CA 95603  
530-885-9746



Copyright  
Louis Buchetto  
125 Agard St.  
Auburn, CA 95603  
530-368-3644  
**EXHIBIT B**

## House to show historic design elements

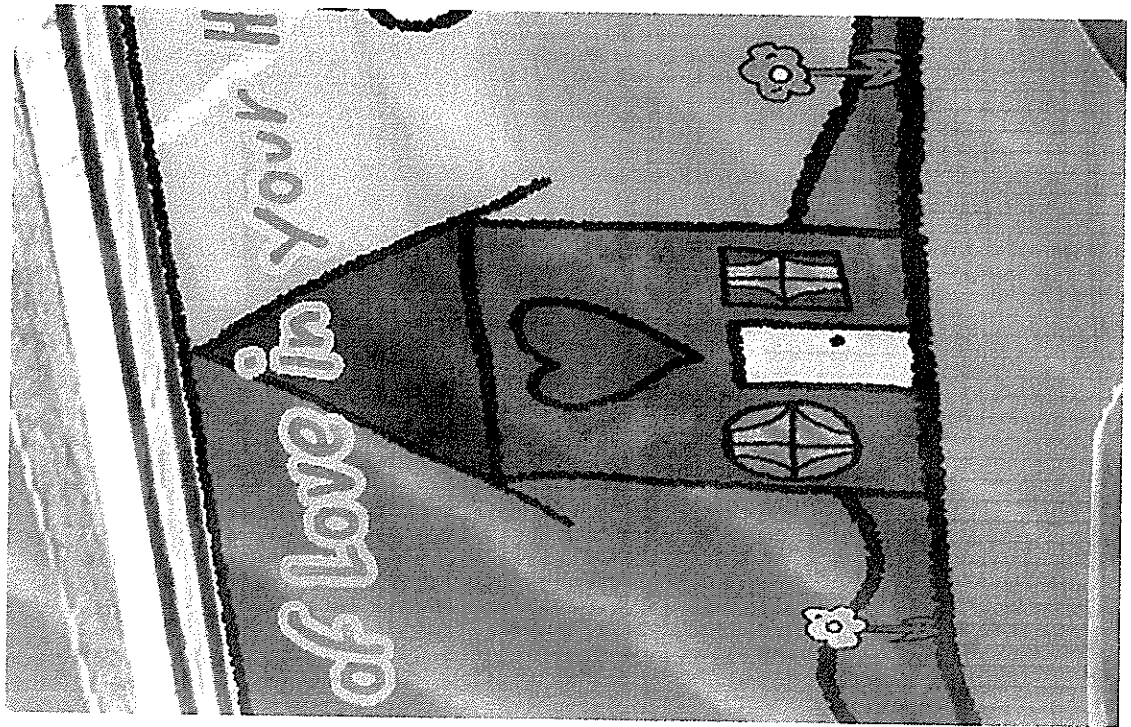


EXHIBIT C